

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

DANIEL CORREA-OSORIO,

Plaintiff,

vs.

Case No. 2:21-cv-00235-BHL

ELITE FINISHING, LLC,

Defendant.

Zoom Videoconference Deposition of DANIEL CORREA-OSORIO

Tuesday, October 19, 2021

9:54 a.m.

with all parties appearing via Zoom videoconference

Reported by Julie A. Poenitsch, RPR/RDR/CRC/CRR

Zoom Videoconference Deposition of
DANIEL CORREA-OSORIO, a witness in the above-entitled
action, was taken at the instance of the Defendant,
under and pursuant to the Federal Rules of Civil
Procedure, and pursuant to Notice, before me, JULIE A.
POENITSCH, RPR/RDR/CRC, Certified Realtime Reporter, and
Notary Public in and for the State of Wisconsin, with
all parties appearing via Zoom videoconference, on the
19th day of October, 2021, commencing at 9:54 a.m. and
concluding at 12:18 p.m.

A P P E A R A N C E S

ARELLANO & PHEBUS, S.C., by
Mr. Victor Arellano
1468 North High Point Road, Suite 102
Middleton, Wisconsin 53562
appeared via videoconference
on behalf of the Plaintiff.

WESSELS SHERMAN JOERG LISZKA LAVERTY
SENECZKO P.C., by
Mr. Alan E. Seneczko
1860 Executive Drive, Suite E-1
Oconomowoc, Wisconsin 53066
appeared via videoconference
on behalf of the Defendant.

ALSO PRESENT VIA VIDEOCONFERENCE:

Ms. Dawn Maldonado, Spanish interpreter
Mr. Jaime Maliszewski, Elite Finishing
Ms. Olivia Ruckstuhl, Paralegal

I N D E X

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Exhibit 2 Employee Warning Notice	33

(Original exhibits were attached to original transcript;
copies to transcript copies.)

R E Q U E S T S

(No requests were made.)

1 A Yes, correct.

2 Q And she's the human resources manager at Elite?

3 A Yes, correct.

4 Q Do you know Jose Lopez?

5 A Yes, correct.

6 Q And he's the plant manager at Elite?

7 A That's what I understand.

8 Q Okay. Do you recall meeting with Atiya and

9 Jose Lopez on March 22nd, 2019?

10 THE INTERPRETER: Could you repeat the
11 date for the interpreter?

12 MR. SENECKO: March 22nd, 2019.

13 THE WITNESS: Yes, correct.

14 BY MR. SENECKO:

15 Q Okay. And what was the purpose of that meeting?

16 A Well, I think it was a pretext against some of the
17 things that I have mentioned or brought up
18 regarding things that I saw and heard about him.

19 Q About who?

20 A Jose Lopez.

21 Q Okay. So what happened in that meeting?

22 A They mentioned some matters that were -- supposedly
23 happened, those of which I was not in agreement
24 with.

25 Q Okay. What matters did they mention?

1 A That I was -- that I was leaving the company
2 facilities without permission.

3 Q What else?

4 A And that supposedly, I was leaving the tanks full
5 and not cleaning the press.

6 Q Anything else?

7 A That was basically what they were alleging in the
8 meeting.

9 Q Did you record the meeting?

10 A Yes.

11 Q Did you record the entire meeting?

12 A Yes.

13 Q Did you inform Atiya and Jose that you were
14 recording the meeting while it was happening?

15 MR. ARELLANO: Objection. Relevance.
16 You may answer.

17 Do you understand the question? You want
18 the question read back?

19 THE WITNESS: Could it be read again?
20 (The last question was read.)

21 THE WITNESS: Correct.

22 BY MR. SENECHKO:

23 Q You told them that you were recording the meeting?

24 A Yes.

25 Q Okay. Do you have a copy of that entire recording?

1 A No.

2 Q What happened to it?

3 A I lost it.

4 Q When did you lose it?

5 A Approximately six months.

6 Q Six months ago?

7 A Correct.

8 Q And how did you lose it?

9 A They took the phone from my car.

10 Q Who took the phone from your car?

11 A I don't know.

12 Q So it was on your cell phone, and your cell phone
13 was stolen?

14 A Correct.

15 Q And you no longer have that phone?

16 A No.

17 Q During the meeting with Atiya and Jose, did they
18 tell you that the purpose of the meeting was to
19 issue you a disciplinary warning?

20 A Yes, that is what they said.

21 Q Okay. I'm going to share my screen with you again.

22 And do you see a copy of the Employee
23 Warning Notice?

24 A Yes, correct.

25 MR. SENECHKO: And just, I would like the